

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

DAVID ZINK, *et al.*,)
Plaintiffs,)
v.) Case No. 12-4209-CV-C-BP
GEORGE A. LOMBARDI, *et al.*,)
Defendants.)

ORDER

On January 28, 2014, the Court held a telephone conference with the parties to address filings made during the course of this litigation. The Court's Orders are as follows:

ORDERED that Smulls' Emergency Motion to Preserve Evidence, (Doc. 315), is **GRANTED**. Defendants are **ORDERED** to preserve all physical evidence relating to Smulls' execution, including any leftover pentobarbital, used and unused syringes, medical tubing, and any other materials that would otherwise be disposed. Defendants are further **ORDERED** to store, preserve, and maintain this evidence at room temperature.

ORDERED that Plaintiffs' Emergency Motion to Modify the Court Order Pertaining to Sealing of Dr. Sasich's Declaration, (Doc. 309), is **GRANTED**. In connection with this litigation, counsel for Defendants are directed to disclose unredacted versions of Dr. Sasich's affidavits, dated January 23, 2014 and January 26, 2014, to Governor Jay Nixon.

IT IS SO ORDERED.

/s/ /Beth Phillips _____
BETH PHILLIPS, JUDGE
UNITED STATES DISTRICT COURT

DATE: January 28, 2014